

[Handwritten signature]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Owner of the Application of

Stephen Michnick et al

Serial Number: 10/724,178

Filed: December 1, 2003

For: FRAGMENTS OF FLUORESCENT
PROTEINS FOR PROTEIN FRAGMENT
COMPLEMENTATION ASSAYS

Group Art Unit: 1631
Examiner: John S. Brusca

TERMINAL DISCLAIMER

Hon. Commissioner of Patents
and Trademarks
Alexandria, VA 22313

Sir:

The owner, **ODYSSEY THERA Inc**, of one hundred (100) percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior **Patent Nos. 6,270,964; 6,294,330 and 6,428,951** as the term of said prior patents is defined in 35 U.S.C. § 154 and § 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

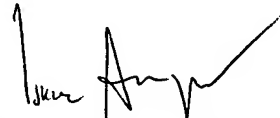
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney/agent of record.

The statutory fee of \$65.00 is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Isaac Angres', written over a horizontal line.

Isaac Angres
Reg. No. 29,765

Filed: March 14, 2005
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